

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

FILED
U.S. DISTRICT COURT
2009 AUG 26 P 2:12

DUBLIN DIVISION

CLERK *B. McCarthy*

TERRY LAMAR BAKER,

Plaintiff,

v.

MARY ALSTON, Johnson State Prison,
et al.,

Defendants.

CV 309-022

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Plaintiff's claim concerning his right testicle, and his claims that occurred subsequent to his filing this case, are **DISMISSED** without prejudice for failure to exhaust administrative remedies, and Defendants Souter, Morris, Lewis, and Henderson are **DISMISSED** from the case.

SO ORDERED this 26th day of August, 2009, at Augusta, Georgia.

[Signature]
UNITED STATES DISTRICT JUDGE